

**NOTICE OF INTENT
TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER**

FILE NUMBER: A76 687 449

To: LOPEZ-Menera, Abel, AKA: Menera, Abel Lopez; Lopez, Bernabe Banderas

Address: 1086 C St., Fulton, CA 95439

Pursuant to section 238(b) of the Immigration and Nationality Act (Act), 8 USC 1228(b), the Immigration and Naturalization Service (Service) has determined that you are amenable to expedited administrative removal proceedings. The determination is based upon the following allegations:

ALLEGATIONS:

1. You are not a citizen or national of the United States.
2. You are a native of Mexico and citizen of Mexico.
3. You entered the United States at or near San Ysidro, CA on or about an unknown date in 1989.
4. At that time, you entered without inspection by an immigration officer.
5. You are not lawfully admitted for permanent residence.
6. You were on August 12, 1997 convicted in the Municipal Court of California, County of Sonoma for the offense of DUI with Priors, in violation of Section 23152(b) of the California Vehicle Code for which the term of imprisonment imposed was Two(2) years.

CHARGES:

You are deportable under section 237(a)(2)(A)(iii) of the Act, 8 USC 1227(a)(2)(A)(iii), as amended, because you have been convicted of an aggravated felony as defined in section 101(a)(43) of the Act, 8 USC 1101(a)(43).

Based upon section 238(b) of the Act, the Service is serving upon you this **NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER** ("Notice of Intent") without a hearing before an Immigration Judge.

Your Rights and Responsibilities

You may choose to be represented (at no expense to the United States government) by counsel, authorized to practice in this proceeding. If you wish legal advice and cannot afford it, contact legal counsel from the list of available free legal services provided to you.

You must respond to the above charges in writing to the Service address provided below within 10 calendar days of service of this notice (or 13 calendar days if service is by mail). In your response you may: request, for good cause, and extension of time; rebut the charges stated above (with supporting evidence); request an opportunity to review the government's evidence; admit deportability; and/or designate the country to which you choose to be deported in the event that a final order of removal is issued (which designation the Service will honor only to the extent permitted under section 241 of the Act.)

You may seek judicial review of any final administrative deportation order by filing a petition for review within 30 calendar days after the date such final administrative order is issued, or you may waive such appeal by stating, in writing, your desire not to appeal.

Mark D. Riordan

Assistant District Director, for Investigations

Issuing Officer: *[Signature]* Signature and Title

San Francisco, CA

City and State of Issuance

3/4/98 @ 7:12 PM
Date and Time

CERTIFICATE OF SERVICE

I served this Notice of Intent. I have determined that the person served with this document is the above named individual.

(Signature and title of officer)

(Date and manner of Service)

I explained this Notice of Intent to the alien in the _____ language.

Name of interpreter: _____

Location/Employer: _____

AL-000088

Form I-851 (9-06-95)